

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

RICHARD L. BARTA,)
)
)
Petitioner,)
)
-vs-) Case No. CIV-15-453-F
)
)
STATE OF OKLAHOMA,)
)
)
Respondent.)

ORDER

On May 18, 2015, United States Magistrate Judge Gary M. Purcell issued a Supplemental Report and Recommendation, wherein he recommended that petitioner, Richard L. Barta's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be denied, or alternatively, be dismissed without prejudice for failure to exhaust available state remedies. Magistrate Judge Purcell advised petitioner of his right to file an objection to the Supplemental Report and Recommendation by June 8, 2015 and that failure to timely object would waive appellate review of the recommended ruling.

To date, petitioner has neither filed an objection nor sought additional time to file an objection. With no objection being filed within the time prescribed, the court accepts, adopts and affirms the Supplemental Report and Recommendation in its entirety. As recommended, petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 shall be denied.

Accordingly, the Supplemental Report and Recommendation issued by United States Magistrate Judge Gary M. Purcell (doc. no. 10) is **ACCEPTED, ADOPTED**

and **AFFIRMED**. Petitioner, Richard L. Barta's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DENIED**. Judgment shall issue forthwith.

DATED June 22, 2015.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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